

# UNITED STATES DISTRICT COURT

for the

District of Minnesota

United States of America

v.

Taronn Lamar Roberson

Date of Original Judgment:

08/23/2007

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

Case No: 06-cr-441

USM No: 08004-041

Pro se

Defendant's Attorney

## ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Total Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_

Amended Guideline Range: \_\_\_\_\_

### II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ The reduced sentence is above the amended guideline range.

### III. ADDITIONAL COMMENTS

Defendant is not entitled to relief under the Fair Sentencing Act because of the mandatory ten-year minimum sentence in this case. See United State v. Neadeau, 639 F.3d 453, 456 (8th Cir. 2011).

Except as otherwise provided, all provisions of the judgment dated 08/23/2007 shall remain in effect.

**IT IS SO ORDERED.**

Order Date:

12-13-11



Judge's signature

Effective Date:

(if different from order date)

Chief Judge Michael J. Davis, U.S. District Court

Printed name and title